

Notice of Allowability

Application No.

09/669,335

Examiner

Naeem Haq

Applicant(s)

SINES ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/21/2004.
2. ☒ The allowed claim(s) is/are 54-74.
3. ☒ The drawings filed on 9/25/2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other


Y.C. Garg
Primary Examiner

DETAILED ACTION

Response to Amendment

This action is in response to the Applicants' amendment filed December 21, 2004. Claims 1-53 have been cancelled. New claims 54-74 are pending and will be considered for examination.

Information Disclosure Statement

The information disclosure statement filed December 21, 2004 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Allowable Subject Matter

Claims 54-74 are allowed.

The following is an examiner's statement of reasons for allowance: Statement of allowance is in reference to independent claims 54 and 62. All other claims are dependencies of these independent claims.

The present application is directed to a process for purchasing over the Internet. Independent claims 54 and 62 recite the uniquely patentable feature of withholding a plurality of order variables from the merchant until a customer's bank receives authorization from the customer to release the order variables to the merchant for processing the order.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Discussion of most relevant prior art:

The following references have been identified as the most relevant prior art to the claimed invention.

(i) US Patent 5,883,810 to Franklin et al. (hereafter referred to as *Franklin*). Franklin substantially discloses the claimed invention for purchasing over the Internet. However, Franklin does not teach or suggest withholding a plurality of order variables from a

merchant until a customer's bank receives authorization from the customer to release the order variables to the merchant for processing the order.

(ii) US Patent 6,947,908 B1 to Slater. Slater discloses that a financial institution can hide a customer's financial information from a merchant (col. 2, lines 50-67). However, Slater does not teach or suggest that the financial institution releases the information to the merchant once it receives authorization from the customer in order to allow the merchant to fulfill the order.

(iii) EP 1 077 436 A2 (hereafter referred to as Citicorp). Citicorp generally discloses a process for performing an on-line transaction. However, Citicorp does not teach or suggest withholding a plurality of order variables from a merchant until a customer's bank receives authorization from the customer to release the order variables to the merchant for processing the order.

(iv) "InstabuySM From CyberCash Offers Easy and Safe Buying Solution to Online Consumers and Merchants" (hereafter referred to as Instabuy). Instabuy generally discloses a process for online purchasing. However, Instabuy does not teach or suggest withholding a plurality of order variables from a merchant until a customer's bank receives authorization from the customer to release the order variables to the merchant for processing the order.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (571)-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naeem Haq, Patent Examiner
Art Unit 3625

September 30, 2005


Y. C. Gao
Primary Ex.